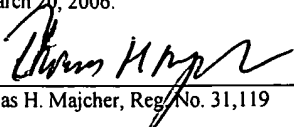


CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: MAIL STOP APPEAL BRIEF-PATENTS, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on March 20, 2006.


Thomas H. Majcher, Reg. No. 31,119

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appln. No. : 10/600,817
Applicant : Benjamin C. Huter et al.
Filed : June 20, 2003
Title : HINGED SHORT CAGE FOR AN
 : EMBOLIC PROTECTION DEVICE
Art Unit : 3731
Examiner : Truong, Kevin Thao

Docket No.: : ACSES-64851 (2791P)
Customer No. : 24201

Los Angeles, California
March 20, 2006

MAIL STOP APPEAL BRIEF-PATENTS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

NOTICE OF APPEAL FROM THE EXAMINER

TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

Dear Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the Examiner dated December 23, 2005, rejecting each of pending claims 1, 2, 5-10, 19-21 and 26-39.

03/23/2006 RFEKADU1 00000019 10600817

01 FC:1401

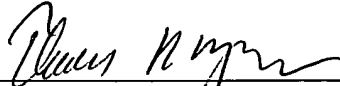
500.00 OP

A check in the amount of \$500 is enclosed herewith for the fee for this Notice of Appeal. The Commissioner is hereby authorized, however, to charge any additional fees which may be required, or credit any overpayment, to Deposit Account No. 06-2425. A duplicate copy of this paper has been enclosed.

Respectfully submitted,

FULWIDER PATTON LLP

By:



Thomas H. Majcher

Registration No. 31,119

THM:mmw

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